

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
ORLANDO DIVISION**

BELLINZONI, S.R.L.,

Plaintiff,

v.

Case No: 6:18-cv-1971-Orl-22GJK

BELL ITALY SOLUTION CORP.,

Defendant.

ORDER

This cause comes before the Court on the Motion for Default Judgment filed by Plaintiff Bellinzoni, S.R.L. against Defendant Bell Italy Solution Corporation on November 26, 2019. (Doc. 51).

On February 3, 2010, the United States Magistrate Judge submitted a report recommending that the Motion be **GRANTED** in its entirety. (Doc. 53). No objection has been filed to the Magistrate Judge's Report and Recommendation.

After an independent *de novo* review of the record in this matter, the Court agrees entirely with the findings of fact and conclusions of law in the Report and Recommendation.

Based on the foregoing, it is ordered as follows:

1. The Report and Recommendation filed February 3, 2020 (Doc. 53), is **ADOPTED** and **CONFIRMED** and made a part of this Order.

2. Plaintiff Bellinzoni, S.R.L.'s Motion for Default Judgment against Bell Italy Solution Corp. (Doc. 51) is **GRANTED**.

3. Plaintiff Bellinzoni, S.R.L. shall file its motion for attorney's fees and costs with supporting evidence within fourteen days of the date of this Order.


4. The Clerk is **DIRECTED** to enter the Final Default Judgment against Bell Italy Solution Corporation as follows:

- a. Bell Italy Solution Corporation is liable for the causes of action alleged in Counts I through V of the First Amended Complaint;
- b. Bell Italy Solution Corporation, and Bell Italy Solution Corporation's officers, agents, servants, employees, attorneys, and/or persons in active concert or participation with them, are ordered to:
 - i. Permanently cease and desist from using Bellinzoni, S.R.L.'s federally registered BELLINZONI trademark, or any colorable imitation thereof, in United States commerce in any way, shape or form, including but not limited to on the Internet, in digital form, in print, and/or on or in connection with mobile or desktop applications;
 - ii. Transfer and assign to Bellinzoni, S.R.L., within thirty (30) days, the domain name bellinzoniusa.com; and,
 - iii. File with the court and serve on Bellinzoni, S.R.L., within thirty (30) days of entry of this Order, a report in writing under oath setting forth in detail the manner and form in which Bell Italy Solution Corporation has complied with the foregoing conditions.
- c. Bellinzoni, S.R.L. is awarded monetary damages of Fifty-one thousand six hundred sixty-one dollars and eighty cents (\$51,661.80) for Bell Italy Solution Corporation's breach of contract, plus prejudgment interest at the prevailing Florida statutory rate to the date judgment is entered, and post-judgment interest pursuant to 28 U.S.C. § 1961(a); and
- d. Bellinzoni, S.R.L. is awarded statutory damages of Twenty thousand dollars (\$20,000) against Bell Italy Solution Corporation, pursuant to 15 U.S.C. § 1125(d), and post-judgment interest pursuant to 28 U.S.C. § 1961; and,

- e. Bellinzoni, S.R.L. is entitled to recover, pursuant to 15 U.S.C. § 1117(a) and Fla. Stat. § 501.211(2), its reasonable attorneys' fees and non-taxable costs.
- f. The Court retains jurisdiction to determine the amount of attorney' fees, non-taxable costs, and costs to which Bellinzoni, S.R.L. is entitled.

5. The Clerk is directed to **CLOSE** the file.

DONE and **ORDERED** in Chambers, in Orlando, Florida on March 9, 2020.


ANNE C. CONWAY
United States District Judge

Copies furnished to:

Counsel of Record